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PART I-L

Notifications, Orders and Awards (other than those published in Part I,
IV-A, IV-B and IV-C) under (Central) Industrial Disputes Act
and Gujarat Industrial Relations Act

LABOUR AND EMPLOYMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, Dated 5th October, 2021.

Minimum Wages Act, 1948.

NO.KHR/2021/127/LVD/10/2013/755760/M2:- WHEREAS certain draft rules were published as required by clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (XI of 1948), at pages 11/1 to 11/3 of the Gujarat Government Gazette, Extraordinary, Part I-L, dated the 3rd July, 2021 under the Government Notification, Labour and Employment Department No. KHR/2021/47/LVD/10/2013/755760/M2 dated the 18th January, 2021 inviting objections and suggestions from all persons likely to be affected thereby, within a period of two months from the date of publication of the said notification in the *Official Gazette*;

AND WHEREAS, the objections and suggestions received by the Government in respect of the said draft notification and have been considered by the Government;

NOW, THEREFORE, in exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with clause (i) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) and after considering the recommendations of the Minimum Wages Advisory Board, Gujarat State and report of time motion study carried out by Mahatma Gandhi Labour Institute, Ahmedabad, Gujarat State and in supersession of the Government Notifications, Labour and Employment Department No.KHR/2020/4/LVD/10/2013/M(2) dated the 2nd January, 2020, the Government of Gujarat hereby revises the minimum rates of wages in respect of employees employed in the said Scheduled employments in the whole of the State of Gujarat so as to consist of;

1. the basic rate of wages as set out in column 3 of the Schedule appended here to in respect of the basic rate payable by the day to the class of the employees mentioned against them in column 2 and employer has to pay minimum rates of wages with

prevailing special allowance for 8 hours of work as prescribe production norms for given activity.

2. a special allowance, and directs that so long as this notification is in force, the rate of such special allowance shall be adjusted by the competent authority, at the interval of every six months commencing from the 1st October and the 1st April on the basis of the average cost of Living Index Number for the preceding period for six months ending on the 30th June and 31st December, respectively in such manner that:-
 - (i) for the rise of every five points over the cost of Living Index Number 5124 or over any such number which is greater than 5124 applicable to the employees in the said scheduled employments, the special allowance payable in addition to the basic rate of wages shall be Rs.0.20 per day or Rs.05.20 per month;
 - (ii) for the fall of every five points below any cost of Living Index Number which is not less than 5124, the special the allowance shall be reduced at the rate of Rs.0.20 per day or Rs.05.20 per month:

Provided that the rates of special allowance shall be first adjusted at the interval of the period of six months commencing from the 1st October or as the case may be 1st April, the prospective month of that particular year.

SCHEDULE

Employment in Brick Manufacturing Industry

Sr. No.	Class of Employees.	Rate Payable per day (Rs.)
1	2	3
I	(a) Patlawala-A (Bricks Moulder) (Where employees are required to dig earth, prepare mud mixture mould bricks dry them thereafter arrange them in proper rows and clean the place of work.)	293.00 (490 <u>Bricks</u>)
II	(b) Patlawala-B (Where employees are provided with earth at the work site by the employer and where after the employee is required to prepare mud mixture, mould bricks dry them arrange rows and clean the place of work.)	284.00 (490 <u>Bricks</u>)
2	(a) Bhartiwala (Raw Brick Carrier)	276.00 (1100 <u>Bricks</u>)
3	Khadkania (Bricks Arrenger)	276.00 (1000 <u>Bricks</u>)
4	Nakashi (Finished Bricks carrier)	276.00 (1000 <u>Bricks</u>)
5	Accountant Supervisors, Mukadam	293.00
6	Mistry	293.00
7	Jalalya (Fireman) and Clerk	293.00
8	Tikdiwala, Chokidar, Peon and other Miscellaneous Labour.	293.00
9	Truck Driver and Car Driver	293.00

* If any brick manufacturing industry Employs a truck driver or a car driver, such driver shall be paid minimum rate of wages and the special allowance at the same rates as re applicable to a driver in respect of the Employment in Motor Transport.

Explanation:-

The employees shall be entitled to get “Full back wages” at the rate of fifty percent only where the employer fails to provide him work due to bad weather or for any other reason. The “Full back wages” shall be the average daily wages calculated on the basis of basic rates plus special allowance received in the previous month by the employee:

Provided that the employee shall not be entitled to get “Full back wages” for the day, if the earns less than the amount of “Full back Wages” on that day on account of his unwillingness to work for any reason what so ever.

Explanation for the purpose of this Notification-

1. The entire state shall be treated as one Zone.
2. The main object of this notification is to prevent the unrealistic fixation of production norms for 8 hours of work. Therefore, the output per worker for 8 hours of work has been scientifically studied and derived by Mahatma Gandhi Labour Institute, Ahmedabad.
3. In case of an employee employed on piece rate basis, the minimum rates of wages shall be so fixed that the minimum rates of wages plus special allowance payable to him, for the number of hours of work which constituted normal working day, shall not be less than the daily wages fixed for the class of employees to which he belongs.
4. An employee employed on part-time basis shall be paid 50 per cent of the minimum rates of wages and special allowance, if he works up to four hours and if he works more than four hours, he shall be paid full minimum rates of wages plus special allowance.
5. An employee employed by contractor or other agencies shall not be paid less than the wages plus special allowance payable to the category of the employees to which they belong.
6. The perquisites or facilities given to an employee shall not be withdrawn and no deduction shall be made in respect of such perquisites or facilities given to an employee after fixation of minimum rates of wages plus special allowance.
7. Male and female employees shall be given equal wages for equal work.
8. The minimum rates of wages payable to an apprentice employed on skilled or semi-skilled work shall be paid 75 per cent of the minimum rates of wages and special allowance fixed for the class of employees to which he belongs for the first three months. After three months he shall be paid in full.

By order and in the name of the Governor of Gujarat,

Gagubha Raj,
Deputy Secretary to Government.

